

TUCSON OFFICE:
400 West Congress
Suite 523
Tucson, Arizona 85701
(520) 628-6940

PHOENIX OFFICE:
2910 N. 44th Street
Suite 130
Phoenix, Arizona 85018
(602) 771-7750

STATE OF ARIZONA
DEPARTMENT OF REAL ESTATE

“AN EQUAL EMPLOYMENT OPPORTUNITY AGENCY”

**SONORA, MEXICO APPLICATION
FOR
SUBDIVISION PUBLIC REPORT**

For property located in Mexico, this application must be filed and a Public Report issued pursuant to A.R.S. §32-2181 et. seq. prior to the sale of subdivided lands as defined in A.R.S. §32-2101(54), unless an exemption has been issued pursuant to A.R.S. §32-2181.01. Division Director Roy Tanney, his Deputy or any Real Estate Representative located in the Phoenix or Tucson Office may be contacted for assistance.

Persons with disabilities may request reasonable accommodations such as interpreters, alternative formats or assistance with physical accessibility. Requests for accommodations must be made with 72 hours prior notice. If you require special accommodations, please contact either office listed above.

SECTION I

INSTRUCTIONS AND GENERAL INFORMATION

1. Read and understand this section thoroughly prior to compiling the required documents in Section II and answering the questions in Section III of this application.
2. Secure all the required documents listed in Section II of this application.
3. Answer all questions in Section III of this application. If the applicant is unclear as to whether or not they need to disclose certain information, they should disclose it.
4. File this complete application, together with the required documents, at either office of the Department of Real Estate. An initial fee of \$500.00 must accompany this application.

This application will not be accepted for initial processing unless Section III has been completed and payment of the \$500.00 fee received. The application and all required documents must be submitted in English.

5. Payment of all fees related to this application must be by check made payable to the Arizona Department of Real Estate.
6. One or more site inspections of the subdivision may be performed by the Department to verify, among other things, timely completion of improvements. Inspection costs, including travel and subsistence expenses, shall be paid by the applicant pursuant to A.R.S. §32-2182.
7. Pursuant to A.R.S. §32-2184, a change to the subdivision or the plan under which it is offered for sale or lease, may invalidate the public report and require application for and the issuance of an amended public report. Continuing sales or offers for sale after any change without notifying the Department and obtaining an amended public report or an exemption may result in administrative action. This may include, but is not limited to suspended sales, voidable contract(s) and/or administrative penalties.
8. The applicant for public report shall submit as part of the application a prepared public report on diskette, in accordance with the procedures shown in Exhibit B.

SECTION II REQUIRED DOCUMENTS

THE FOLLOWING DOCUMENTS MUST ACCOMPANY THIS APPLICATION AND SHALL CONSTITUTE A PART THEREOF.

1. Copies of all municipal, state and federal approval documents that are required for the lawful sale of the property in Mexico. Include English translations.
2. A legible copy of recorded subdivision map no larger than 11" x 17" (27.94 x 43.18 centimeters) showing book, page and date of recording and approval by the State and/or municipality as applicable. (Lotification)
3. Title Report which is a true statement of the condition of title to the land issued after recordation of map, dated no more than 30 days prior to receipt by the Department of Real Estate.

Updated title reports may be required during the process of this application. Reports listing requirements may be rejected and updates required.

4. A legible copy of all recorded options, contracts of purchase, liens and encumbrances including documents which show applicant's ability to deliver title to each lot or unit sold free of the effect of the aforementioned documents, if not shown within said documents (individual lot release provisions).
5. A Copy of the Contract for Purchase to be used, describing conditions of sale and type of deed or other conveyance document to be used to convey property to purchaser. All agreements and contracts shall contain substantially the following language in large or bold print above the signature portion of such document: **"THE DEVELOPER SHALL GIVE A PROSPECTIVE PURCHASER A COPY OF THE PUBLIC REPORT AND AN OPPORTUNITY TO READ AND REVIEW IT BEFORE THE PROSPECTIVE PURCHASER SIGNS THIS DOCUMENT."** See Exhibit "A" to this application entitled **CONTRACT DISCLOSURES**. Your contract may need additional disclosures as set forth in Exhibit "A".
6. Copies of recorded subdivision restrictions, recorded deed restrictions, contract restrictions or other restriction documents.
7. If this filing is for a condominium, a copy of all legal documents creating the condominium. If the condominium has not yet been legally created, provide documents that demonstrate and explain the protections in place, which assure the acquisition by purchasers of a legally created condominium.
8. Document(s) demonstrating legal and permanent access.
9. A Certificate of Good Standing issued by the Arizona Corporation Commission. For each corporation (foreign or domestic) participating in this application as a principal, general partner, or joint venturer owning 10 percent or more. The date on the Certificate shall not be more than 1 year from the date of the application.

10. If applicant is a trust beneficiary, limited liability company, partnership or joint venture, a copy of the legal documents creating same (partnership/joint venture agreement, articles of organization, operating agreements, trust agreements, etc.). Limited partnerships must provide evidence of registration with the Arizona Secretary of State's Office.
11. Authorization for any individual(s) signing on behalf of a corporation, limited liability company, partnership or owner (corporate resolution, partnership agreement, power-of-attorney, etc.), authorizing the signing of documents and correspondence related to this application.
12. A copy of documents, agreements or statements demonstrating that adequate financial or other arrangements acceptable to the Commissioner have been made for installation, completion and delivery of all improvements and facilities represented in this application. See Section III Question 16, of this application.
13. A draft Public Report prepared using the Department's Public Report template. The draft shall be prepared as a word document in Microsoft Word and in accordance with Exhibit "B". The draft shall be submitted on diskette along with one hard copy of the draft Public Report. The diskette should not be password or write protected. The Public Report draft on the diskette must include all exhibits that are referenced in the Report such as airport maps and title exceptions. **Do not make reference to an exhibit that cannot be imported into the Public Report draft.**

**SECTION III
QUESTIONNAIRE
SUBDIVIDED LANDS**

FAILURE TO ANSWER THE FOLLOWING QUESTIONS IN COMPLETE DETAIL
WILL DELAY THE PROCESSING OF THIS APPLICATION

1. Complete name of subdivision, as shown in the legal creating documents of the subdivision:
 - (a) Name which will be used in marketing or promotional activity, if different from above (aka):
2. List the lots or units included in this application:
3. APPLICANT (Subdivider):
 - (a) Name(s):
 - (b) Address:
 - (c) Telephone: Fax:
 - (d) If the subdivider is other than an individual, such as a corporation, partnership or trust:
 - i. Name the type of legal entity:
 - ii. Give name and address of all officers, general partners, members, trustees or other persons who exercise control of the entity:
 - (e) If the subdivider is a Subsidiary Corporation, list the name and address of the Parent Corporation:
 - (f) **Each applicant for Public Report must answer the following questions.** If the applicant is not an individual but is an entity (e.g., a corporation, partnership, limited liability company or trust), answers must be provided by each of the partners, officers, members, beneficiaries, managers or managerial employees of the applicant, and any other individual or entity related to the applicant, to the extent any of the foregoing exercises control (as defined in A.R.S. §32-2101(17)) over the applicant or holds a 10% or greater interest in the applicant. If you answer “yes” to any question, please provide a signed, detailed statement

describing the facts and circumstances, including the date, time and location of the incident or event. You must also provide supporting documentation identified on Department form LI-400, Document Checklist, as provided in A.A.C. R4-28-301, in order for your application to be considered complete. You can obtain this form either at the Licensing front counter or on our website at www.re.state.az.us.

- 1) Have you ever been convicted of any **felony** in Arizona or any other state?
☐ Yes ☐ No
- 2) Are you currently in a deferred period or a diversion program, having been convicted of a Class 6 undesignated offense, which has not yet been designated as a felony or misdemeanor as of the date of this application?
☐ Yes ☐ No
- 3) Are you currently incarcerated, paroled, or on probation because of any conviction?
☐ Yes ☐ No
- 4) In the past 10 years, have you:
 - a) been convicted of any **misdemeanor** in Arizona or any other state? *Note: You do not need to report minor traffic citations, which do not constitute a misdemeanor or felony offense. D.U.I. is not a minor traffic offense and must be reported.*
☐ Yes ☐ No
 - b) had a professional or occupational license or registration of any kind denied, suspended, restricted, or revoked?
☐ Yes ☐ No
 - c) had an administrative order or any other disciplinary action taken against any license issued to you by any local, state or federal regulatory agency or voluntarily surrendered any license during the course of an investigation or disciplinary proceeding?
☐ Yes ☐ No
 - d) had any Subdivision Public Report or Registration to Sell real estate, timeshares, cemetery lots or campground memberships denied, ~~or~~ suspended or revoked? ☐ Yes ☐ No
 - e) entered into any consent decree, or had an injunction (either temporary or permanent), a suspension, an order, or a judgment issued which prohibited or restricted you from engaging in any profession or occupation? ☐ Yes ☐ No
 - f) had any judgment or order entered against you by any court

involving fraud, dishonesty, misrepresentation, unfair trade practice or moral turpitude?

☐ Yes ☐ No

g) had any judgment or order entered against you by any court arising out of the conduct of any business in real estate, cemetery property, timeshare intervals or membership campgrounds? ☐ Yes ☐ No

5) Are you the subject of a current investigation or pending disciplinary action with the Arizona Department of Real Estate?

☐ Yes ☐ No

6) Has any real estate recovery fund, or similar fund EVER made a payment that was charged against you or against a business for which you were the qualifying party? ☐ Yes ☐ No

7) Within the past ten years, has any person or entity in a controlling position over the applicant declared bankruptcy, or held any interest in any corporation, partnership or limited liability company that has declared bankruptcy?

☐ Yes ☐ No

If information on any "yes" answer above was previously provided to the Department, please indicate the date and reason it was provided. You are not required to provide this information again if it is on file at the Department.

I certify, under penalty of perjury under the laws of the State of Arizona, that I am authorized to sign on behalf of the applicant and that the foregoing answers and statements given in this application and any statement that I have attached are true and correct and applicable for all persons and entities required to provide answers.

DATED this _____ day of _____, 20 _____

(Printed name and signature of authorized party)

(g) If you have answered "yes" to any of the questions in 3(h)ii through vii above, attach a separate signed notarized affidavit detailing the facts of each "yes" answer. Your statement should include, but not be limited to:

Name(s), title, address(es), telephone number(s) of each person involved; dates, locations, court name and address, law enforcement agency name and

address, administrative agency (specify federal, state or local) name and address, arrest information, charge or indictment information, name of civil or administrative allegations made, ultimate disposition of offense or case (include out-of-court settlement) sentence imposed, probation or parole term, civil or bankruptcy case number and all other information sufficient to provide a thorough explanation of your “yes” response.

4. SUBDIVISION MAP:

- (a) Recorded/Registered in _____, Municipality of _____, State of _____, Mexico.
- (b) Gross acreage in entire subdivision:
- (c) Specify number of lots, units, parcels or tracts within entire subdivision:
- (i) Are lot corners permanently staked? ☐ Yes ☐ No

Please explain method of staking.

5. SUBDIVISION LOCATION:

Exact street location, Municipality and State:

Best route for getting to the subdivision including miles & direction from nearest Town:

6. SUBDIVISION CHARACTERISTICS AND ADJACENT LANDS:

(a) Subdivision

- (i) Describe the physical characteristics of the subdivision e.g., level, hilly, rocky, loose soil, washes, arroyos, canyons, etc.
- (ii) Is the subdivision subject to any known flooding or drainage problems or downstream from any existing flood structure/dam?
☐ Yes ☐ No

If yes, describe and explain what protections have been provided:

- (iii) Are the subdivision lots subject to subsidence, or expansive soils?
☐ Yes ☐ No

(b) Adjacent Lands

Describe existing and proposed land uses adjacent to and in the vicinity, such as apartments, schools, commercial subdivision, churches, parks or other uses, including, but not limited to, any unusual safety factors and uses that may cause a nuisance or adversely affect lot owners within or near the subdivision such as shooting ranges, active or abandoned mines, freeways, sewer plants, railroads, canals, landfills, or any unusual or unpleasant odors, noises, pollutants, cultivation and related dust, agricultural burning, application of pesticides, irrigation and drainage or other effects:

NOTE: When answering this question, the department recommends that you research within 2 miles of the subdivision for unusual safety factors and 5 miles for factors that may cause a nuisance or adversely affect lot owners. Your disclosures should not be limited to those examples listed in the question.

NOTE: ADDITIONAL INFORMATION AND/OR REQUIREMENTS MAY BE REQUESTED UPON REVIEW OF YOUR ANSWERS TO QUESTION 6 ABOVE.

7. ELECTRICITY:

- (a) Are electric facilities available to this subdivision? ☐ Yes ☐ No
- (b) If facilities are available, state name, and telephone number of company, which will provide service:
- (c) Where are present facilities in relation to this subdivision? (Distance from farthest lot included in this application)
- (d) Who will be responsible for completion of the facilities to the lot lines?
- (e) Estimated completion date of facilities to the lot lines. (Month-Day-Year) (specify if conduit only):

If conduit only, explain how and when facilities will be completed and who is responsible for the costs.
- (f) Estimated costs lot purchaser will have to pay for completion of facilities

to his lot line:

- (g) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling:
- (h) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc.)

8. TELEPHONE:

- (a) Are telephone facilities available to this subdivision? ☐ Yes ☐ No
- (b) If facilities are available, state name, and telephone number of company, which will provide service:
- (c) Where are present facilities in relation to this subdivision? (Distance from farthest lot included in this application)
- (d) Who will be responsible for completion of the facilities to the lot lines?
- (e) Estimated completion date of facilities to the lot lines: (Month-Day-Year) (specify if conduit only):
 - (i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs:
- (f) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:
- (g) Estimated costs lot purchaser will have to pay for completion of facilities from his lot line to his dwelling:
- (h) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (Current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc.)

9. NATURAL GAS:

- (a) Are natural gas facilities available to this subdivision? ☐ Yes ☐ No

- (b) If facilities are available, state name, and telephone number of company which will provide service:
- (c) Where are present facilities in relation to this subdivision? (Distance from farthest lot included in this application)
- (d) Who will be responsible for completion of the facilities to the lot lines?
- (e) Estimated completion date of facilities to the lot lines: (Month-Day-Year)
- (f) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:
- (g) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling:
- (h) Upon completion of facilities, what other costs or requirements exist before lot purchasers can receive service? (Current service charges, current hook-up fees, meter fees, current turn-on fees)

10. WATER:

- (a) Is a domestic water supply available to this subdivision?
- (b) State whether water supply will be provided by a municipal system, improvement district, public utility, private water company, co-op, irrigation district, private well, water hauler or other:

IF PRIVATE WELL OR WATER HAULING WILL BE THE SOURCE OF DOMESTIC WATER, GO TO SECTION (M) thru (O).

- (c) Name, and telephone number of water provider:
- (d) Where are present water facilities in relation to this subdivision? (Distance from farthest lot included in this application)
- (e) Who will be responsible for completion of the facilities to the lot lines?
- (f) Estimated completion date of facilities to the lot lines: (Month-Day-Year)

- (g) Will fire hydrants be installed? ☐ Yes ☐ No, and if yes, when?
- (h) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:
- (i) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to dwelling:
- (j) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (Service charges, hook-up fees, turn-on fees, meter fees, subdivision fees, etc.)
- (k) Who is or will be responsible for maintenance of the water lines within this subdivision other than from lot line to dwelling?
- (l) Who is or will be responsible for maintenance of the water lines outside this subdivision?
- (m) If a private well is to be utilized, describe all requirements and costs involved to install an operational domestic water system: (Include all governmental licensing/permitting requirements and their costs; average depth to water; drilling requirements and costs; equipment costs; all other necessary costs)
- (n) If the source of water is a private well and domestic water cannot be obtained from a private well, will lot purchaser be offered a refund of the purchase price? ☐ Yes ☐ No
- If yes, explain any conditions or restrictions involving the refund.
- (o) If water is to be transported/hailed to individual lots by lot purchasers for domestic use, provide name and location of the supplier; provide cost estimates to be computed on a monthly basis for a four member family (include costs of water; cistern and other holding tanks necessary; pumps; and any other costs necessary to install an operational water system):

11. SEWAGE COLLECTION, TREATMENT AND DISPOSAL:

- (a) State whether sewage collection and disposal will be provided by a municipality, improvement district, public utility, private company, individual sewage disposal systems (septic tanks etc.) or other:

IF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WILL BE USED, GO DIRECTLY TO NO. 12

- (b) Name, telephone number and website of sewage collection, treatment and disposal system provider:
- (c) Who will be responsible for completion of the sewage collection, treatment and disposal facilities to the lot lines:
- (d) Estimated completion date of facilities to the lot lines: (Month-Day-Year)
- (e) Estimated costs lot purchaser will have to pay for completion of facilities to his lot lines:
- (f) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling:
- (g) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (Service charges, hook-up fees, tap-in fees, subdivision fees, etc.)
- (h) Who is responsible for maintenance of the sewage collection, treatment and disposal facilities within this subdivision other than from lot line to dwelling?
- (i) Who is responsible for maintenance of the sewage collection, treatment and disposal facilities outside this subdivision?
- (j) What costs, if any, will lot purchasers be responsible to pay toward maintenance of sewage collection, treatment and disposal facilities?

12. INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS:

- (a) Describe the type of individual on-site wastewater treatment system lot purchasers will be required to install:
- (b) Describe all requirements and costs involved to install an operational individual on-site wastewater treatment system: (Include all governmental licensing/permitting requirements and their costs; equipment and all other necessary costs):
- (c) If an operational individual sewage disposal system cannot be installed, will lot purchaser be offered a refund of the purchase price?
☐ Yes ☐ No

If yes, explain any conditions or restrictions involving the refund.

13. ACCESS STREETS AND ROADS:

- (a) Is legal and permanent access provided to the subdivision, and lots within the subdivision, over terrain, which may be traversed by conventional 2-wheel drive automobiles and emergency vehicles? ☐ Yes ☐ No
- (b) Exterior street(s) providing access to this subdivision from a dedicated federal, state, or municipal roadway.
 - (i) Is exterior street(s) public or private? If private, describe what provisions have been made to assure purchasers of a legal right to use the private access street(s).
 - (ii) Are exterior street(s) complete? ☐ Yes ☐ No

NOTE: If any improvements to existing exterior streets are to be completed by subdivider or others, the streets are not considered complete.

- (iii) Who is responsible for completion?
- (iv) Estimated completion date? (Month-Day-Year)
- (v) What type of surfacing?
- (vi) Costs lot purchaser will be required to pay toward street completion?
- (vii) Who is responsible for street maintenance?
- (viii) If the Municipality or State is to maintain the street(s), when will it be accepted for maintenance?
- (ix) Costs lot purchaser will be required to pay toward street maintenance?
- (c) Interior street(s) within this subdivision:
 - (i) Are interior streets within this subdivision public or private?
 - (ii) Are the interior streets complete? ☐ Yes ☐ No

- (iii) Who is responsible for completion?
- (iv) Estimated completion date? (Month-Day-Year)
- (v) What type of surfacing?
- (vi) Costs lot purchaser will be required to pay toward street completion?
- (vii) Who is responsible for street maintenance?
- (viii) If the Municipality or State is to maintain the interior streets, when will they be accepted for maintenance?
- (ix) Costs lot purchaser will be required to pay toward street maintenance?

NOTE: Support letters from a title insurance company and professional engineer may be required to demonstrate permanent and legal access to the subdivision. See Rule R4-28-A1207 for assistance.

14. FLOOD AND DRAINAGE:

- (a) Will there be flood protection or drainage facilities installed within this subdivision? ☐ Yes ☐ No

If yes, describe:
- (b) Who will be responsible for completion of the facilities?
- (c) Estimated completion date? (Month-Day-Year)
- (d) Costs lot purchaser will be required to pay toward completion of facilities?
- (e) Who is responsible for maintenance of the facilities?
- (f) If the Municipality or State is responsible for maintenance, when will the facilities be accepted for maintenance?
- (g) Costs lot purchaser will be required to pay toward maintenance of facilities?

15. ADDITIONAL SUBDIVISION FACILITIES:

- (a) List all other subdivision facilities to be included in the subdivision offering including, but not limited to, all common, community and/or recreational facilities.
- (b) Who is responsible for the completion of the above facilities?
- (c) Estimated completion date for the above facilities? (Month-Day-Year)
- (d) Costs lot purchaser will be required to pay toward completion of the facilities?
- (e) Who is responsible for maintenance of the facilities?
- (f) Costs lot purchaser will be required to pay toward maintenance of the facilities?

NOTE: IF THE FACILITIES LISTED IN QUESTIONS 7 THRU 15 ABOVE ARE TO BE COMPLETED FOR SPECIFIC LOTS IN PHASES, DESCRIBE YOUR PHASED SCHEDULE OF COMPLETION GIVING THE LOTS IN EACH PHASE AND THE ESTIMATED COMPLETION DATES ON A SEPARATE SHEET. INSPECTIONS WILL BE MADE TO VERIFY COMPLETION IN ACCORDANCE WITH YOUR SCHEDULE OF COMPLETION.

16. ASSURANCE FOR COMPLETION AND MAINTENANCE OF SUBDIVISION FACILITIES:

- (a) What arrangements have been made to assure the completion and delivery of the facilities listed in Questions 7 thru 15 above:
- (b) What arrangements have been made to assure the continued maintenance of the facilities listed in Questions 7 thru 15 above:

17. REFUSE COLLECTION:

- (a) Have provisions been made for refuse collection? ☐ Yes ☐ No
- (b) If yes, state name of service provider and cost to lot purchaser:

- (d) If no, what must lot purchaser do to dispose of refuse?(Include location of nearest authorized transfer station, landfill, dump, etc., and all costs involved.).

18. FIRE PROTECTION:

- (a) Is fire protection available to the subdivision? ☐ Yes ☐ No
- (b) If yes, state name of provider and cost to lot purchaser:

19. SUBDIVISION USE AND RESTRICTIONS:

- (a) Do you plan to sell or lease
- ☐ Lots with dwellings
- ☐ Vacant Lots
- ☐ Condominiums
- (b) Give full disclosure of conditions or provisions, which may limit the use, or occupancy of the property offered in this application. If none other than normal subdivision restrictions (CC&Rs), so state:

20. SALES:

- (a) Describe how sales will be made and the manner by which title right or other interest contracted for is to be conveyed to purchaser?
- (b) Where will purchaser's deposit and earnest monies be deposited and held?
- (i) Can such monies be used prior to close of escrow?
☐ Yes ☐ No
- (ii) When and under what conditions will such monies be released?
- (c) When will lot purchaser be permitted to use and occupy his lot or dwelling?
- (d) Will purchaser's interest be recorded in the Public Registry?
☐ Yes ☐ No

If yes, when?

- (e) Will purchaser receive title free and clear of all liens? ☐ Yes ☐ No

If no, please explain:

NOTE: YOUR ANSWERS ABOVE MUST BE IN CONFORMANCE WITH THE DOCUMENTS SUBMITTED UNDER REQUIRED DOCUMENT NO. 5, SECTION II.

- (f) Name, address and telephone number of Arizona broker who will be responsible for sales. If none, so state and explain why.

If subdivider is a broker or a salesperson, Commissioner's Rule R4-28-1101 (E) provides, "Licensee shall not act as a principal, directly or indirectly, in a real estate transaction without informing the other parties to the transaction, in writing and prior to or concurrent with any binding agreement, that he or she has a real estate license and is acting as a principal."

- (g) Location of subdivision sales records. State of Arizona address at which records will be kept, name of custodian and telephone number.

21. PROPERTY TAXES AND ASSESSMENTS:

Are there any property taxes, special assessments or fees to be paid by purchaser?
If yes, explain.

22. PROPERTY OWNER'S ASSOCIATIONS:

- (a) Name of Association, if any:
- (b) Property Owners will be required to pay assessments in the amount of \$ _____ per _____
- (c) Is the above association(s) legally formed and operational?
☐ Yes ☐ No

AFFIDAVIT OF APPLICANT

STATE OF _____

COUNTY OF _____

RE: _____

Subdivision Name

I hereby certify under penalty that the statements contained in this application constitute notice of intention to sell or lease subdivided lands, and that the statements together with any documents submitted herewith are full, true, complete and correct.

I further affirm and swear that I will not, over any period of time or by any means, resubdivide any of the herein described lots or dispose of or offer to dispose of subdivided lands not contained in the public report, without first complying with the provisions of A.R.S. §32-2181 et seq., and that I will notify the Department of Real Estate of any change to the information in this application.

I hereby represent that as the owner of the above mentioned subdivision, I will not place or allow to be placed any mortgages or liens on the property other than those already in existence as of this date, copies of which have been furnished to the Arizona Department of Real Estate as a part of the application for the subdivision, unless the Department is notified of the placement of any new mortgage or lien.

I further certify that, if this application has not been submitted on the standard form prepared by the Arizona Department of Real Estate, applicant agrees that the Department may take any action deemed necessary to ensure compliance with the subdivision laws if, after issuing a public report, the Department discovers errors, omissions or deficiencies in the application or public report based on the application. The applicant further agrees to completely indemnify the Department, the State of Arizona, its agents and employees from any and all liability caused, in whole or in part, by use of a nonstandard form.

I am duly authorized to prepare and am the person responsible for the content of this application and accompanying public report.

Date

Printed Name

Name

Title or Office

This instrument subscribed to and sworn before me
this _____ day of _____, 20____ by
_____, in witness
whereof I set my hand and official seal.

Signature

Notary Public

My Commission Expires: _____.

APPLICATION MUST BE SIGNED AND SWORN TO BEFORE A NOTARY PUBLIC BY ALL SUBDIVIDERS PRIOR TO ISSUANCE OF THE PUBLIC REPORT.

EXHIBIT "A"

CONTRACT DISCLOSURES

- A. Any agreement or contract for purchase or lease shall contain substantially the following language in large or bold print above the signature portion of such document.

"THE DEVELOPER SHALL GIVE A PROSPECTIVE PURCHASER A COPY OF THE PUBLIC REPORT AND AN OPPORTUNITY TO READ AND REVIEW IT BEFORE THE PROSPECTIVE PURCHASER SIGNS THIS DOCUMENT".

- B. Any agreement or contract for the purchase or lease of an unimproved (vacant) lot or parcel shall contain substantially the following language in large or bold print above the signature portion of such document:

THE PURCHASER OR LESSEE HAS THE LEGAL RIGHT TO RESCIND (CANCEL) THIS AGREEMENT WITHOUT CAUSE OR REASON OF ANY KIND AND TO THE RETURN OF ANY MONEY OR OTHER CONSIDERATION BY SENDING OR DELIVERING A WRITTEN NOTICE OF RESCISSION TO THE SELLER OR LESSOR BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE DAY THE PURCHASER OR LESSEE EXECUTED THE AGREEMENT. IF THE PURCHASER OR LESSEE DOES NOT INSPECT THE LOT OR PARCEL BEFORE THE EXECUTION OF THE AGREEMENT, THE PURCHASER OR LESSEE SHALL HAVE SIX MONTHS TO INSPECT THE LOT OR PARCEL AND AT THE TIME OF INSPECTION SHALL HAVE THE RIGHT TO UNILATERALLY RESCIND THE AGREEMENT.

An adequate opportunity to exercise the seven (7) day right of rescission shall be provided by disclosing conspicuously the complete current name and address of seller on the face of all agreements and contracts.

- C. Any agreement or contract for sale or lease shall conspicuously disclose the nature of the document at or near the top of the document.
- D. Any agreement or contract for the sale or lease of a lot in a subdivision where down payment, earnest money deposit or other advanced money, if any, is paid directly to the seller and not placed in a neutral escrow depository shall conspicuously disclose this fact within the document, and the purchaser shall sign or initial this provision indicating approval in the space adjacent to or directly below the disclosure in the purchase contract or agreement of sale. The following disclosure shall be written in

large or bold print and shall be included in the public report, purchase contract, and agreement of sale:

“Prospective purchasers are advised that earnest money deposits, down payments and other advanced money will not be placed in a neutral escrow. This money will be paid directly to the seller and may be used by the seller. This means the purchaser assumes a risk of losing the money if the seller is unable or unwilling to perform under the terms of the purchase contract.”

- E. See A.R.S. §32-2185.01 and 32-2185.06 for additional information relating to sales and contract disclosures.

EXHIBIT “B”

The applicant for Public Report shall submit, as part of their application package, a typed Public Report on diskette. The following requirements and stipulations apply.

1. The report must be prepared from the Public Report template provided by the Department. (Microsoft Word 2000 or earlier).
2. The report must be prepared as a Word document in Word 2000 or earlier along with a printout in hard copy.
3. All exhibits required for the report must be on the diskette.
4. All references to leases should be deleted if no leasing is proposed.
5. Statements on the report must be provided in concise, plain English language and must disclose all pertinent facts.

After review of the application, the Department will correct or amend the report as required and will return the diskette with a hard copy of the issued report. The report will be in the Department's database, therefore any future amendments to the report will be done by the Department based on application from the Developer and an updated diskette containing the amended public report draft.